

REMARKS

Claim 1 has been amended based on the disclosure at page 6, last line to page 7, first line, page 7, lines 18 to 20, and page 9, lines 12 to 13 of the present application. Claim 6 has been amended in a similar manner.

Entry of the above amendment is respectfully requested.

Art Rejection

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsukiyo et al. (US Patent No. 5,733,892) in view of Shigehisa et al. (JP 06-072893).

Applicants respectfully submit that the present invention is not obvious over the cited art, and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

Initially, Applicants note that with respect to the Declaration of Mr. Hiroaki Kaneko submitted on February 7, 2011 under 37 C.F.R. 1.132, the Examiner considers that it was not sufficient to overcome the rejection under 35 U.S.C. 103(a) with respect to claims 1-9 (see, Response to Arguments of the outstanding Office Action).

While it is believed that the Declaration filed February 7, 2011 was sufficient, in view of the Examiner's position Mr. Kaneko conducted additional experimentation and prepared a new Declaration, which is submitted herewith.

Due to the experiments in the Declaration (Runs 1 to 3: Run 1 out of these is identical to the experiment in the previous Declaration) as well as the above amendments, Applicants submit that the rejection is overcome.

In this regard, as set forth on page 2 of the Declaration, the Declarant states that it is understood from the experiments in the Declaration that the hyaluronic acid conjugated with

phosphatidyl ethanolamine bearing a saturated stearoyl group, i.e., C₁₈ saturated fatty acid (Runs 2 and 3) as well as the hyaluronic acid conjugated with phosphatidyl ethanolamine bearing a saturated palmitol group, i.e., C₁₆ saturated fatty acid (Run 1) do not show the unique complex elastic modulus of the hyaluronic acid conjugated with phosphatidyl ethanolamine bearing an unsaturated oleoyl group, i.e., C₁₈ unsaturated fatty acid (the present invention).

Thus, it is submitted that the present invention provides unexpectedly superior results and is not obvious for at least that reason.

Accordingly, reconsideration and withdrawal of the obviousness rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: September 8, 2011